| | |
|---|---|
| **From:** | Galvez, Karla@Coastal <Karla.Galvez@coastal.ca.gov> |
| **Sent time:** | 09/10/2018 04:46:02 PM |
| **To:** | Boyd Hill <BHill@jacksontidus.law> |
| **Cc:** | Rehm, Zach@Coastal <Zach.Rehm@coastal.ca.gov>; Sexton, Pat@Coastal <Pat.Sexton@coastal.ca.gov>; Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>; Posner, Chuck@Coastal <Chuck.Posner@coastal.ca.gov>; So Kim; Ara Mihranian; Elena Gerli <egerli@awattorneys.com>; Selim <Selim@sawayaeng.com>; Danny Aleshire <danny.aleshire@awattorneys.com>; Jill Martin <jmartin@trumpnational.com>; Ara Mihranian |
| **Subject:** | RE: SC 7 Deed Restriction Amendment per CDPA 21 |

The Commission has no say as to whether or how the financial obligations of the homeowners are to be assessed by the HOA per its CC&Rs so I don't think it's appropriate to state in our Deed Restriction that they definitely will be if we can't ensure that. However, I think we could accept language that lets the homeowners know that they may refer to any future CC&Rs to see if/how these obligations are handled, something like "Homeowners may refer to the [Declarations of Restrictions to be recorded against the Property] to determine whether and how the financial contribution obligations created by this Deed Restriction will be assessed to the homeowners".

Karla V. Galvez, Attorney

California Coastal Commission

45 Fremont St., Ste 2000

San Francisco, CA 94105

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**From:** Boyd Hill [mailto:BHill@jacksontidus.law]
**Sent:** Monday, September 10, 2018 3:25 PM
**To:** Galvez, Karla@Coastal
**Cc:** Rehm, Zach@Coastal; Sexton, Pat@Coastal; Hudson, Steve@Coastal; Posner, Chuck@Coastal; So Kim; Mihranian, Ara@City of Ranchos Palos Verdes; Elena Gerli; 'Selim'; Danny Aleshire; 'Jill Martin'; Mihranian, Ara@City of Ranchos Palos Verdes
**Subject:** RE: SC 7 Deed Restriction Amendment per CDPA 21

Karla:

As you may recall, in the telephone call we had on September 3, the Owner parties raised the concern that potential residential lot purchasers and title companies might misconstrue the deed restriction obligations to believe that successor residential lot owners would be financially obligated beyond their obligations to the pertinent homeowners association.

We believe that the following recital (or something similar) might help avoid such misunderstandings: "Any financial contribution obligations created by this Deed Restriction for an Owner successor purchasing a residential home lot from Owner will be addressed through assessments charged by the homeowner association to which the successor belongs."

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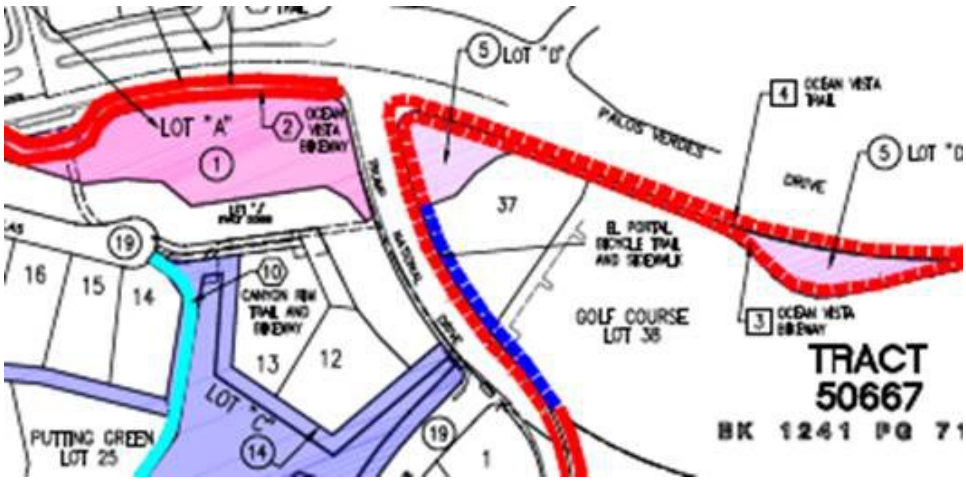
**From:** Danny Aleshire [mailto:danny.aleshire@awattorneys.com]
**Sent:** Thursday, August 30, 2018 1:20 PM
**To:** 'Galvez, Karla@Coastal'; 'Jill Martin'; Mihranian, Ara@City of Ranchos Palos Verdes
**Cc:** Rehm, Zach@Coastal; Sexton, Pat@Coastal; Hudson, Steve@Coastal; Posner, Chuck@Coastal; So Kim; Mihranian, Ara@City of Ranchos Palos Verdes; Elena Gerli; Danny Aleshire; 'Selim'; Boyd Hill
**Subject:** RE: SC 7 Deed Restriction Amendment per CDPA 21

Hi Karla,

My minor revisions to the Restated Deed Restriction are attached as shown in the PDF redline. A clean copy is attached as well.

Note that Lot 37 isn't actually a part of the Golf Course. See below for reference. This is really an issue for Jill to comment on though, so if she's ok including it in this Deed Restriction, I don't care one way or the other.



Best,

Danny

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**From:** Galvez, Karla@Coastal [mailto:Karla.Galvez@coastal.ca.gov]
**Sent:** Wednesday, August 29, 2018 1:08 PM
**To:** Danny Aleshire; 'Jill Martin'; Mihranian, Ara@City of Ranchos Palos Verdes
**Cc:** Rehm, Zach@Coastal; Sexton, Pat@Coastal; Hudson, Steve@Coastal; Posner, Chuck@Coastal; So Kim; Mihranian, Ara@City of Ranchos Palos Verdes; Elena Gerli; 'Selim'; 'Boyd Hill'
**Subject:** RE: SC 7 Deed Restriction Amendment per CDPA 21

Hi everyone, attached are our comments to the draft SC 7 Deed Restriction (clean and redline). The attached is being provided prior to planning staff's opportunity to review and therefore is subject to any additional comments they may have. Thanks, Karla

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**From:** Danny Aleshire [mailto:danny.aleshire@awattorneys.com]

**Sent:** Friday, August 24, 2018 7:06 PM
**To:** 'Jill Martin'; Galvez, Karla@Coastal; Mihranian, Ara@City of Ranchos Palos Verdes
**Cc:** Rehm, Zach@Coastal; Sexton, Pat@Coastal; Hudson, Steve@Coastal; Posner, Chuck@Coastal; So Kim; Mihranian, Ara@City of Ranchos Palos Verdes; Elena Gerli; 'Selim'; Danny Aleshire; 'Boyd Hill'
**Subject:** RE: SC 7 Deed Restriction Amendment per CDPA 21

All,

Please see attached for a revised draft of the Restated Deed Restriction which was only changed to correct Section H to reflect the fact that the golf course parcels are located on Lots 24-27 of Vesting Tentative Tract Map 50666 and Lots 38-39 of Vesting Tentative Tract Map 50667. Also attached is a map depicting the various lots located on the Tract Maps.

Best,

Danny Aleshire

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**From:** Danny Aleshire
**Sent:** Thursday, August 23, 2018 6:32 PM
**To:** 'Jill Martin'; Galvez, Karla@Coastal; Mihranian, Ara@City of Ranchos Palos Verdes
**Cc:** Rehm, Zach@Coastal; Sexton, Pat@Coastal; Hudson, Steve@Coastal; Posner, Chuck@Coastal; So Kim; Ara Mihranian; Elena Gerli; Danny Aleshire; 'Selim'
**Subject:** RE: SC 7 Deed Restriction Amendment per CDPA 21

Hi All,

We would like to have this restated Deed Restriction ready for the Council's hearing on September 4, so we took the liberty to go ahead and prepare an initial draft of the document. Please see attached, which is based on the prior Amended and Restated Deed Restriction and contains the revisions shown in Condition 7 as noted by Karla.

Please let us know if you have any comments or questions and let us know if you expect to be able to review and send feedback by Monday in order to have this scheduled for the Council hearing on the 4th.

Thanks very much,

Danny Aleshire

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**From:** Jill Martin [mailto:jmartin@trumpnational.com]
**Sent:** Thursday, August 23, 2018 10:52 AM
**To:** Galvez, Karla@Coastal; Danny Aleshire; Mihranian, Ara@City of Ranchos Palos Verdes

**Cc:** Rehm, Zach@Coastal; Sexton, Pat@Coastal; Hudson, Steve@Coastal; Posner, Chuck@Coastal
**Subject:** RE: SC 7 Deed Restriction Amendment per CDPA 21

Thanks Karla. Please go ahead with the Deed Restriction next week. We will wait for that draft.

Best,

*Jill A. Martin*

Vice President & Asst. Gen. Counsel

The Trump Organization

c/o Trump National Golf Club Los Angeles

One Trump National Dr.

Rancho Palos Verdes, CA 90275

Tel: 310-303-3225

Fax: 323-282-3629

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**From:** Galvez, Karla@Coastal <Karla.Galvez@coastal.ca.gov>
**Sent:** Wednesday, August 22, 2018 2:04 PM
**To:** Jill Martin <jmartin@trumpnational.com>; Danny Aleshire (danny.aleshire@awattorneys.com) <danny.aleshire@awattorneys.com>; Mihranian, Ara@City of Ranchos Palos Verdes <aram@rpvca.gov>
**Cc:** Rehm, Zach@Coastal <Zach.Rehm@coastal.ca.gov>; Sexton, Pat@Coastal <Pat.Sexton@coastal.ca.gov>; Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>; Posner, Chuck@Coastal <Chuck.Posner@coastal.ca.gov>
**Subject:** SC 7 Deed Restriction Amendment per CDPA 21

Hi everyone,

I understand from Zach that the other items that were outstanding to complete condition compliance for CDPA 20 and CDPA 21 (e.g., Final Water Quality Management Plan for Tract 50666, Final Fence Plan for Tract 50666, and Final Landscape Plan for Lot D) may be completed soon so we may be in a position to issue CDPA 20 and CDPA 21. If that is the case, then we need to get the outstanding amendment of the Deed Restriction per Special Condition 7 done as well.

It should be a straightforward amendment in that it is just updating the previously recorded Deed Restriction and amendments with the updated condition 7 language. The last time this was amended was in 2000 per CDPA 15 so I ran a redline of the condition then against the updated version in CDPA 21 to see what changes need to be addressed in the new amendment. For your reference, the following are attached related to SC 7:

- The redline of the condition described above

- Deed Restriction recorded as 97-1999963 (1997)
- Amended and Restated Deed Restriction recorded as 00-1613036 (2000)
- Amendment to Documents recorded as 00-1649980 (see Item 1, Page 1) (2000)

This Deed Restriction covers both tracts 50666 and 50667 so all the owners would need to sign the amendment (including VH Property Corp., VHPS LLC, the City and possibly the HOA depending on the timing).

Please let me know if you want to move forward with this now and I can put a draft together and send it out next week, or if you all want to get the amendment done sooner, please feel free to prepare and circulate a draft amendment for review. Thanks.

Karla V. Galvez, Attorney

California Coastal Commission

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